

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GEORGE DOTSON,

Defendant.

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Case No. 8:06CR116

ORDER

This matter is before the court on the defendant's Motion for Reconsideration of Detention [193]. The motion is denied.

The proposed placement of the defendant with a third-party custodian while he awaits inpatient treatment fails to address the court's concerns contained in the July 20, 2006 Detention Order [78]. The proposed placement does not significantly address the defendant's prior criminal history, or his non-compliance with previous court orders and would not, given his prior record, result in an adequate level of supervision. In reaching this conclusion, I specifically considered the defendant's prior record, which includes four warrants issued for violation of probation, a failure to appear, a violation of supervised release, and seven prior drug convictions involving at least one felony. I also note the proposed plan of release fails to rebut the presumption of detention, 18 U.S.C. § 3142(e). I find the defendant should remain committed.

IT IS ORDERED:

1. The defendant's Motion for Reconsideration of Detention [193] is denied without hearing.

Dated this 23rd day of October 2006.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge